

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In the Application of: Vogel et al.

CASE NO: AD6728 US NA

APPLICATION NO.: 09/833,452

GROUP ART UNIT: 1787

FILED: 04/12/2001

EXAMINER: Jackson, Monique R

CONFIRMATION NUMBER: 3330

FOR: Multi-Layered, Co-Extruded Ionomeric Decorative Surfacing

**RULE 131 DECLARATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

I, Randall Allen Vogel, declare that:

I am a citizen of the United States of America residing in Wilmington, Delaware;

I am a co-inventor of the above-identified application for US patent and have read the Office Action mailed 10/08/2010;

prior to October 13, 1999, I had completed my invention as described and claimed in the subject application in this country, the sheets described as follows were made for use as interior surface or exterior surface of automotive part, appliance panel, or aviation application because of its reflection of an object in a colored finish compared to the actual object itself and of its high gloss exhibiting distinctness of image comparable to the best of paint finishes on smooth or "Class A" surfaces;

first, Exhibit A, attached hereto, is a photocopy of the SANO RUN SHEET number 426; the SANO equipment was a co-extruder located at DuPont Chestnut Run facility in Wilmington, Delaware; the requester of this run was Randall A. Vogel ("R. Vogel") and the charge code identified the DuPont "Surlyn<sup>®</sup>" division within DuPont; the run was carried out prior to October 13, 1999;

this particular run identified three co-extruded polymer layers consistent with the instant claim language in which layer 1 ("9910 Nat.") was clear natural Surlyn<sup>®</sup> 9910; the second co-extruded layer 2 ("Surlyn<sup>®</sup> 9910 Pewter") was pigmented Surlyn<sup>®</sup> 9910 containing a 6% pewter colored pigment concentrate (see comments to the right side of the run sheet); and the third layer 3 ("Bexloy<sup>®</sup> W720") was a Surlyn<sup>®</sup> and polyethylene alloy blend commercially sold by DuPont into the automotive industry; the remaining data identifies the operating parameters;

secondly, Exhibit B, also attached hereto, is a photocopy of the SANO RUN SHEET describing the production of a two layered co-extruded sheet carried out before October 13, 1999; this two-layered embodiment was consistent with the teaching of the disclosures of Smith (US6319438) and also illustrates the concept of a top clear Surlyn<sup>®</sup> layer co-extruded with a green pigmented Surlyn<sup>®</sup> and polyethylene blend layer; and

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.



Randal Allen Vogel

12/9/10

Date